

Message Text

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ACTION CA-01

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TO SECSTATE WASHINGTON DC PRIORITY 5958
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UNCLAS NAPLES 506

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: REGIONAL CONSULAR CONFERENCE

REF: STATE 5336#

WOULD APPRECIATE HAVING FOLLOWING ISSUES ADDRESSED DURING CONFER-
ENCE:

1. IN THE WAKE OF OUR UNFORTUNATE MEXICAN EXPERIENCE, THE DEPART-
MENT PROMISED CONGRESS THAT CONSULAR OFFICERS THROUGHOUT THE WORLD
WOULD HENCEFORTH DO ALL POSSIBLE TO PROTECT THE RIGHTS OF AMERICANS
ARRESTED ABROAD, WITH PARTICULAR EMPHASIZES ON BASIC HUMAN RIGHTS.
ALL WELL AND GOOD.
2. AS A COROLLARY TO THIS PRONOUNCEMENT, HOWEVER, THE DEPARTMENT
SEEMS TO BE SAYING THAT CONSULAR OFFICERS WOULD ALSO OFFER LEGAL
ADVICE AND GUIDANCE AND, IF NECESSARY, ACT AS PRIVATE INVESTIGATORS

PAGE 02 RUFRSGG3112 UNCLAS NAPLES 506

TO RESOLVE THE PROBLEMS OF U.S. CITIZENS ABROAD. THIS, OF COURSE,
LEADS THE ALREADY VULNERABLE CONSULAR OFFICER INTO SOME PRETTY LI-
TIGIOUS AREAS AND COULD POSSIBLY EXPOSE THE U.S.G. TO LAW SUITS.
IT WOULD NOT, MOREVOER, ENHANCE THE STATURE OF THE CONSULAR OFFICER
IN THE EYES OF THE PARTICULAR FOREIGN GOVERNMENT TO WHICH HE MAY BE
ACCREDITED, ESPECIALLY IF HE IS TO GET INVOLVED IN DETECTIVE WORK.

3. FOREIGN SERVICE REGULATIONS OVER THE YEARS HAVE PROHIBITED
FOREIGN SERVICE OFFICERS FROM "ACTING AS AGENT OR PERFORMING QUASI-
LEGAL SERVICES" IN ALL CASES CONSIDERED PRIVATE IN NATURE. ARE CON-
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PAGE 02 NAPLES 00506 201359Z

SULAR OFFICERS NOW AUTHORIZED TO DISREGARD THIS RESTRICTION AND, IF
SO, HOW FAR IN THE OPPOSITE DIRECTION DO THEY GO? COLANTONIO

NOTE BY OC/T: #REFTTEL BELIEVED TO BE INCORRECT.

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